

FOR UTILITY/DESIGN
C/PCT NATIONAL/PLANT
ORIGINAL/SUBSTITUTE/SUPPLEMENTAL
DECLARATIONS

RULE 63 (37 C.F.R. 1.63)
DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CUSHMAN
FORM

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the INVENTION ENTITLED

PRODUCTION OF HYDROXYLATED FATTY ACIDS IN GENETICALLY MODIFIED PLANTS

the specification of which (CHECK applicable BOX(ES))

-> [] is attached hereto.

-> [X] was filed on February 6, 1996 as U.S. Application No. 0 8 / 597,313

OX(ES) -> [] was filed as PCT International Application No. PCT/ / on

-> -> and (if applicable to U.S. or PCT application) was amended on

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 C.F.R. 1.56. I hereby claim foreign priority benefits under 35 U.S.C. 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate filed by me or my assignee disclosing the subject matter claimed in this application and having a filing date (1) before that of the application on which priority is claimed, or (2) if no priority claimed, before the filing date of this application:

| PRIOR FOREIGN APPLICATION(S) | | Date first Laid- | Date Patented | Priority Claimed | | |
|------------------------------|---------|----------------------|-------------------|------------------|-----|----|
| Number | Country | Day/MONTH/Year Filed | open or Published | or Granted | Yes | No |

I hereby claim domestic priority benefit under 35 U.S.C. 120/365 of the indicated United States applications listed below and PCT international applications listed above or below and, if this is a continuation-in-part (CIP) application, insofar as the subject matter disclosed and claimed in this application is in addition to that disclosed in such prior applications, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 C.F.R. 1.56 which became available between the filing date of each such prior application and the national or PCT international filing date of this application:

| PRIOR U.S. PROVISIONAL, NONPROVISIONAL AND/OR PCT APPLICATION(S) | | Status | Priority Claimed | |
|--|----------------------|------------------------------|------------------|----|
| Application No. (series code/serial no.) | Day/MONTH/Year Filed | pending, abandoned, patented | Yes | No |
| PCT/US 95/11855 | 25/SEPTEMBER/1995 | PENDING | X | |
| 08/530,862 | 20/SEPTEMBER/1995 | PENDING | X | |
| 08/320,982 | 11/OCTOBER/1994 | PENDING | X | |
| 08/314,596 | 26/SEPTEMBER/1994 | PENDING | X | |

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

And I hereby appoint Cushman Darby & Cushman Intellectual Property Group of Pillsbury Madison & Sutro LLP, 1100 New York Avenue, N.W., Ninth Floor, East Tower, Washington, D.C. 20005-3918, telephone number (202) 861-3000 (to whom all communications are to be directed), and the below-named persons (of the same address) individually and collectively my attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and with the resulting patent, and I hereby authorize them to delete names/numbers below of persons no longer with their firm and to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/ organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct the above Firm and/or a below attorney in writing to the contrary.

| | | | | | | | |
|----------------------|-------|---------------------|-------|----------------------|-------|--------------------|-------|
| Paul N. Kokulis | 16773 | David W. Brinkman | 20817 | Chris Comuntzis | 31097 | David A. Jakopin | 32995 |
| Raymond F. Lippitt | 17519 | George M. Sirilla | 18221 | | | Mark G. Paulson | 30793 |
| G. Lloyd Knight | 17698 | Donald J. Bird | 25323 | Paul E. White, Jr. | 32011 | James D. Berquist | 34776 |
| Carl G. Love | 18781 | W. Warren Taltavull | 25647 | Michelle N. Lester | 32331 | Timothy J. Klima | 34852 |
| Edgar H. Martin | 20534 | Peter W. Gowdey | 25872 | Jeffrey A. Simenauer | 31993 | John P. Moran | 30906 |
| William K. West, Jr. | 22057 | Dale S. Lazar | 28872 | Robert A. Molan | 29834 | Stephen C. Glazier | 31361 |
| Kevin E. Joyce | 20508 | Glenn J. Perry | 28458 | G. Paul Edgell | 24238 | Paul F. McQuade | 31542 |
| Edward M. Prince | 22429 | Kendrew H. Colton | 30368 | Lynn E. Eccleston | 35861 | | |

1. INVENTOR'S SIGNATURE: _____ Date _____
Inventor's Name (typed) Chris SOMERVILLE U.S.A.
First Middle Initial Family Name Country of Citizenship
Residence (City) Portola Valley (State/Foreign Country) CALIFORNIA
Post Office Address (Include Zip Code) 5 Valley Oak, Portola Valley, California 94028

2. INVENTOR'S SIGNATURE: _____ Date _____
Inventor's Name (typed) Pierre BROUN FRANCE
First Middle Initial Family Name Country of Citizenship
Residence (City) Burlingame (State/Foreign Country) CALIFORNIA
Post Office Address (Include Zip Code) 1249 Capuchino, Burlingame, California 94010

3. INVENTOR'S SIGNATURE: F. J. van de Loo Date 4/11/97
Inventor's Name (typed) Frank van de LOO AUSTRALIA
First Middle Initial Family Name Country of Citizenship
Residence (City) Weston (State/Foreign Country) AUSTRALIA

Post Office Address (Include Zip Code) 11 Fowles Street, Weston, ACT 2611, Australia (FOR
ADDITIONAL INVENTORS, check box [X] and attach sheet (CDC-116.2) for same information for each re signature, name, date, citizenship, residence
and address.)

DECLARATION AND POWER OF ATTORNEY

(continued)

ADDITIONAL INVENTORS:

4. INVENTOR'S SIGNATURE: _____ Date _____

| | | | | |
|-------------------------|--------|----------------|-------------|------------------------|
| Inventor's Name (typed) | Sekhar | S. | BODDUPALLI | INDIA |
| | First | Middle Initial | Family Name | Country of Citizenship |

Residence (City) MANCHESTER (State/Foreign Country) MISSOURI

Post Office Address (Include Zip Code) 572 Enchanted Parkway, Manchester, Missouri 63021

5. INVENTOR'S SIGNATURE: _____ Date _____

| Inventor's Name (typed) | | | | |
|--|-------|----------------|-------------|------------------------|
| | First | Middle Initial | Family Name | Country of Citizenship |
| | | | | |

Residence (City) _____ (State/Foreign Country) _____

Post Office Address (Include Zip Code) _____

6. INVENTOR'S SIGNATURE: _____ Date _____

| Inventor's Name (typed) | | | | |
|-------------------------|----------------|-------------|------------------------|--|
| First | Middle Initial | Family Name | Country of Citizenship | |
| | | | | |

Residence (City) _____ (State/Foreign Country) _____

Post Office Address (Include Zip Code) _____

7. INVENTOR'S SIGNATURE: _____ Date _____

| Inventor's Name (typed) | | | | |
|-------------------------|----------------|-------------|------------------------|--|
| First | Middle Initial | Family Name | Country of Citizenship | |
| | | | | |

Residence (City) _____ (State/Foreign Country) _____

Post Office Address (Include Zip Code) _____

FOR ADDITIONAL INVENTORS, check box ☐ and attach sheet with same information and signature and date for each.

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PRIOR FOREIGN APPLICATION(S)

| Number | Country | Day/MONTH/Year Filed | Date first Laid-open or Published | Date Patented or Granted | Priority Claimed Yes No |
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PRIOR U.S. PROVISIONAL, NONPROVISIONAL AND/OR PCT APPLICATION(S)

| Application No. (series code/serial no.) | Day/MONTH/Year Filed | Status pending, abandoned, patented | Priority Claimed Yes No |
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PCT/US 95/11855

25/SEPTEMBER/1995

PENDING

X

08/530,862

20/SEPTEMBER/1995

PENDING

X

08/320,982

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26/SEPTEMBER/1994

PENDING

X

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And I hereby appoint Cushman Darby & Cushman Intellectual Property Group of Pillsbury Madison & Sutro LLP, 1100 New York Avenue, N.W., Ninth Floor, East Tower, Washington, D.C. 20005-3918, telephone number (202) 861-3000 (to whom all communications are to be directed), and the below-named persons (of the same address) individually and collectively my attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and with the resulting patent, and I hereby authorize them to delete names/numbers below of persons no longer with their firm and to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/ organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct the above Firm and/or a below attorney in writing to the contrary.

| | | | | | | | |
|----------------------|-------|---------------------|-------|----------------------|-------|--------------------|-------|
| Paul N. Kokulis | 16773 | David W. Brinkman | 20817 | Chris Comuntzis | 31097 | David A. Jakopin | 32995 |
| Raymond F. Lippitt | 17519 | George M. Sirilla | 18221 | | | Mark G. Paulson | 30793 |
| G. Lloyd Knight | 17698 | Donald J. Bird | 25323 | Paul E. White, Jr. | 32011 | James D. Berquist | 34776 |
| Carl G. Love | 18781 | W. Warren Taltavull | 25647 | Michelle N. Lester | 32331 | Timothy J. Klima | 34852 |
| Edgar H. Martin | 20534 | Peter W. Gowdey | 25872 | Jeffrey A. Simenauer | 31993 | John P. Moran | 30906 |
| William K. West, Jr. | 22057 | Dale S. Lazar | 28872 | Robert A. Molan | 29834 | Stephen C. Glazier | 31361 |
| Kevin E. Joyce | 20508 | Glenn J. Perry | 28458 | G. Paul Edgell | 24238 | Paul F. McQuade | 31542 |
| Edward M. Prince | 22429 | Kendrew M. Colton | 30368 | Lynn E. Eccleston | 35861 | | |

1. INVENTOR'S SIGNATURE: Chris Somerville

Date 4/5/97

Inventor's Name (typed) Chris SOMERVILLE U.S.A.

Residence (City) Portola Valley (State/Foreign Country) CALIFORNIA

Post Office Address (Include Zip Code) 5 Valley Oak, Portola Valley, California 94028

2. INVENTOR'S SIGNATURE: P. Broun

Date 4/7/97

Inventor's Name (typed) Pierre BROUN FRANCE

Residence (City) Burlingame (State/Foreign Country) CALIFORNIA

Post Office Address (Include Zip Code) 1249 Capuchino, Burlingame, California 94010

3. INVENTOR'S SIGNATURE: Frank van de LOO

Date

Inventor's Name (typed) Frank van de LOO AUSTRALIA

Residence (City) Weston (State/Foreign Country) AUSTRALIA

Post Office Address (Include Zip Code) 11 Fowles Street, Weston, ACT 2611, Australia (FOR ADDITIONAL INVENTORS, check box [X] and attach sheet (CDC-116.2) for same information for each re signature, name, date, citizenship, residence and address.)

DECLARATION AND POWER OF ATTORNEY

(continued)

ADDITIONAL INVENTORS:

4. INVENTOR'S SIGNATURE: [Signature] Date 7/1/97

| | | | | |
|-------------------------|--------|----------------|-------------|------------------------|
| Inventor's Name (typed) | Sekhar | S. | BODDUPALLI | INDIA |
| | First | Middle Initial | Family Name | Country of Citizenship |

Residence (City) MANCHESTER (State/Foreign Country) MISSOURI

Post Office Address (Include Zip Code) 572 Enchanted Parkway, Manchester, Missouri 63021

5. INVENTOR'S SIGNATURE: _____ Date _____

Inventor's Name (typed) _____

Residence (City) _____ (State/Foreign Country) _____

Post Office Address (Include Zip Code) _____

6. INVENTOR'S SIGNATURE: _____ Date _____

| Inventor's Name (typed) | | | |
|-------------------------|----------------|-------------|------------------------|
| First | Middle Initial | Family Name | Country of Citizenship |
| | | | |

Residence (City) _____ (State/Foreign Country) _____

Post Office Address (Include Zip Code)_____

7. INVENTOR'S SIGNATURE: _____ Date _____

| | | | |
|-------------------------|----------------|-------------|------------------------|
| Inventor's Name (typed) | | | |
| First | Middle Initial | Family Name | Country of Citizenship |

Residence (City) _____ (State/Foreign Country) _____

Post Office Address (Include Zip Code) _____

FOR ADDITIONAL INVENTORS, check box ☐ and attach sheet with same information and signature and date each.